

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9724 of 2007

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Narayan Kumar Sultania @Narayan Sultania, son of Radheshyam Sultania,
resident of Puraini, P.S. – Puraini, District - Madhepura

.... Petitioner

Versus

1. The State Of Bihar
2. The Collector, Madhepura
3. The Deputy Collector, Land Reforms Uda Kishanganj, Madhepura.
4. The Anchal Adhikari, Puraini, (Madhepura)
5. Mohan Ram Chaudhary, son of Late Dinaram Chaudhary, resident of
Puraini, P.S. – Puraini, District - Madhepura.
6. Gunja Kumari, D/o Mohan Ram Choudhary, resident of Puraini, P.S.
– Puraini, District - Madhepura

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : Mr. (Gp11)

Mr. Pankaj Kumar Sinha

Mr. Dharmendra Kr. Paswan

Mr. Ranjan Kumar Dubey

Mr. R.S.Dwivedi

Mr. Sangeeta Sharma

Mr. Rakesh Chandra

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

7 02-05-2013 Sri Arun Prasad Ambastha, learned counsel, who was assisted by Sri Sunil Kumar Singh, learned counsel for the petitioner, in presence of learned State Counsel as well as Sri Kamal Nayan Chaubey, learned senior counsel, who appears on behalf of respondent no. 5, submits that though the present writ petition pertains to dispute of mutation, in the present writ petition there are number of question of fact, which requires to be dealt with.

The court is of the opinion that such dispute can well



be adjudicated by the Tribunal constituted under the Bihar Land Tribunal Act, 2009 (hereinafter referred to as “the Act”) and same is functioning. Accordingly, in view of provision contained in Section 15 of the Act, the Registry is directed to transmit the record of the case to the Tribunal forthwith. Since this petition is being referred to the Tribunal, primarily, on the submission of learned counsel for the petitioner, it would be better to indicate that interim order dated 12.2.2009 may not be treated as absolute. However, it will be open to the Tribunal to pass appropriate order, if necessary. Accordingly, interim order stands vacated.

(Rakesh Kumar, J)

Praful/-